

FROM ARMSTRONG, WESTERMAN

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Atty. Docket: 000152

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Zenoviy TKACHUK

Serial Number: 09/534,509

Group Art Unit: 1633

Filed: March 24, 2000

Examiner: Chen, L.

For: COMPOUND, COMPOSITION AND METHOD FOR THE
TREATMENT OF INFLAMMATORY AND INFLAMMATORY-
RELATED DISORDERS

DECLARATION UNDER 37 CFR 1.132

Commissioner for Patents
Washington, D.C. 20231

Sir:

I, Dr. Zenoviy TKACHUK, a citizen of UKRAINE, hereby declare and state:

1. I am the named inventor in the present application Serial No. 09/534,509 filed on March 24, 2000.
2. The experimental results provided in Example 2 of my application establish that the anti-inflammatory action of yeast RNA product in in vitro thrombocyte aggregation model is considerably improved when the yeast RNA is prepared having higher nitrogen and/or phosphorus content (see Table 4 on page 31 of the specification).
3. This declaration is submitted to illustrate and confirm this report with experimental results using in vivo model showing that preparing yeast RNA having increased phosphorus and/or nitrogen content greatly improves the anti-inflammatory action of yeast RNA.

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4. Influence of yeast RNA on local inflammation of mice legs

Various Yeast RNA products (RNA-P, RNA-F) were prepared in accordance with the method described in Example 1.1 of my application (see page 26 of the specification).

Specifically, the nitrogen and phosphorus contents were as follows (% are by weight):

RNA-P: 15.49% nitrogen and 9.05% phosphorus

RNA-F: 14.16% nitrogen and 8.2% phosphorus

(see Table 1 on page 27 of the specification).

Next, experiments were conducted using the in vivo local inflammation model in mice, as described in Example 4.1 of my application (see pages 34-35 of the specification).

The experimental results are shown below (in the same format as Table 5 on page 35 of the specification).

Table 5-1: Influence of yeast RNA, concentration 10 mg/ml,
on local inflammation of pads in mice

Contr.+PS	Contr.+LPS	Aspirin	RNA-P	RNA-F
0	43.31	35.5	20.1	29.1
	+ 2.43	+ 2.8	+ 2.09	+2.47
% of inhibition		18.03%	53.5%	32.8%
		P<0.001	P<0.001	P<0.001

5. As shown in Table 5-1, RNA-F, obtained by a common method and having relatively low nitrogen and/or phosphorus content, was considerably less active to inhibit the inflammatory process (32.8%) than RNA-P having relatively high nitrogen and/or phosphorus content (53.5%, i.e., an improvement of more than 50%).

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6. The experimental results obtained in this in vivo model are similar to the results in the model of aggregation of thrombocytes induced by arachidonic acid in Example 2 of my application, which also show a considerable increase by about 50% of the aggregation parameter between RNA-F (M=57.90 at 0.1% concentration) and RNA-P (M=84.09 at 0.1% concentration).

7. The experimental results obtained in this in vivo model are also consistent with the experimental result of 47.17% inhibition with RNA-D at 10 mg/ml concentration, as reported in Example 4.1 of my application (see Table 5 on page 35 of the specification). RNA-D contains 15.16% nitrogen and 8.6% phosphorus (see Table 1 on page 27 of the specification).

8. In conclusion, the present experimental report confirms that yeast RNA having a higher nitrogen and/or phosphorus content above 14.5% and 8.5% by weight, respectively, is considerably more effective against inflammatory processes, as shown by conventional in vitro as well as in vivo experiments.

The undersigned declares that all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that willful false statements may jeopardize the validity of the application or any patent issued thereon.

Signed this 03 day of jan, 2003

Signature: 

Zenoviy TKACHUK